

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

FRANCISCO ALMEIDA-LEÓN,)	
et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:16-cv-01394-JAW
)	
WM CAPITAL MANAGEMENT,)	
INC.,)	
)	
Defendant.)	

TEMPORARY RESTRAINING ORDER

The parties to this action are WM Capital Management, Inc. (WM Capital), Francisco Almeida-León, his wife Wanda Cruz-Quiles, their Conjugal Partnership, Juan Almeida-León, Tenerife Real Estate Holdings LLC (the “Almeida Leóns”) and their officers, agents, servants, employees, and attorneys, including Edilberto Berríos Pérez, Esq., Roberto Berríos Falcón, Esq., and Fernando E. Longo-Quñones, Esq. Contemporaneous with this Temporary Restraining Order (TRO), the Court has issued an Order on Motion for Temporary Restraining Order, which details the developments that have led to the issuance of this Order.

For the reasons detailed in the contemporaneous Order, the Court **ORDERS** that the Courts of the Commonwealth of Puerto Rico are hereby enjoined from:

1) Enforcing the Resolution and Order of the Superior Court of Puerto Rico, Court of First Instance, Superior Part of San Juan dated August 16, 2021 in *Tenerife*

Real Estate Holdings, LLC v. Emérito Estrada Rivera, Isuzu PR, Inc., Civil No. K CD2009-0708 in its entirety;

2) Holding WM Capital, its representative, and its attorneys in contempt or otherwise sanctioning them for any filings they make or acts they take in Federal Court;

3) Enforcing the imposition of any sort of sanction against WM Capital, its representative, and its attorneys for acting consistent with the Final Judgment issued by this Court;

4) Foreclosing on the GMAC Mortgage and Judgment unless said foreclosure is consistent with the Final Judgment of this Court;

5) Enforcing the GMAC Order as to the consignment of the GMAC Note or the annotation of any restrictions to the Kennedy Property in the Property Registry of Puerto Rico¹;

6) Ordering the Registry of the Property of Puerto Rico to annotate any restriction on the Kennedy Property as provided for in the GMAC Order.

¹ The Kennedy Property is described in the Puerto Rico Property Registry as follows:

- Urban: Located in the Monacillos Ward of Río Piedras, with an area of 10,986.903 square meters. With bounds by the NORTH with the parcel adjudicated to Luis Llorens Torres and Mercedes De La Torre; by the SOUTH with the San Patricio road; by the EAST with Luis Torres; and by the WEST with the San Juan to Bayamón Highway, Puerto Rico, today State Highway Number Two (2).
- This description corresponds to the remainder of this property after segregations.
- Recorded in Folio 123, of Volume 785, Third Section of San Juan, Property number 13,936.
- The physical address of the property is the following: Lot. CM, East Marginal, John F. Kennedy Expressway, Bechara Industrial Park, Barrio Monacillos, San Juan, Puerto Rico.

Moreover, the Court enjoins the Registry of the Property of Puerto Rico from annotating any restrictions as stipulated in the GMAC Order on the Kennedy Property.

It is further **ORDERED** that Francisco Almeida-León, his wife Wanda Cruz-Quiles, their Conjugal Partnership, Juan Almeida-León, Tenerife Real Estate Holdings LLC, and their agents, employees, and all other persons, firms, or corporations acting or claiming to act on their behalf, or in concert or participation with them, including but not limited to Edilberto Berríos Pérez, Esq., Roberto Berríos Falcón, Esq., and Fernando E. Longo-Quñones, Esq. are hereby **ENJOINED** from:

1) Directly or indirectly making any further collateral attacks on the Final Judgment of this case;

2) Making any attempt to execute the GMAC Judgment other than as specified in this Court's Final Judgment;

3) Making any attempt to enjoin or impede these federal proceedings in the Courts of the Commonwealth of Puerto Rico.

It is **FURTHER ORDERED** that the Almeida-Leóns, including Tenerife, will have until September 22, 2021 to present any opposition to WM Capital's motion for permanent injunction. This TRO will remain in effect until September 29, 2021 pending further order of this Court.

It is **FURTHER ORDERED** that a copy of this Temporary Restraining Order be provided forthwith by WM Capital to the Chief Judge of the Court of First Instance, Superior Part of San Juan, to the Hon. Raul A. Candelario Lopez, presiding

over Case Number KCD2009-0708, and to the Administrative Director of the Puerto Rico Office of Court Administration, the Hon. Sigfrido Steidel Figueroa.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 15th day of September, 2021